

REMARKS

Claims 1-10 are pending in this application. By this Amendment, claim 1 is amended and claim 11 is canceled without disclaimer of or prejudice to the subject matter disclosed therein. Reconsideration in view of the above amendment and following remarks is respectfully requested.

Entry after final rejection is requested at least for the reason that the final rejection is improper. The Advisory Action, dated May 16, 2003 refused entry of Applicants' May 9, 2003 Amendment After Final Rejection on the grounds that the Amendment raised new issues. The Request for Continued Examination filed on June 4, 2003 forced entry of that same Amendment.

MPEP 706.07(b) states, in relevant part, that: "it would not be proper to make final a first Office Action in a continuing or substitute application where that application contains material which was presented in the earlier application after final rejection or closing of prosecution but was denied entry because (a) new issues were raised that required further consideration and/or search, or (b) the issue of new matter was raised." Accordingly, since the Advisory Action asserted that new issues were raised, the current Office Action cannot be final. As such, the current Office Action is improper.

Applicants thank the Examiner for the indication that claims 7-9 contain allowable subject matter.

The Office Action rejects claims 1-6 and 10-11 under 35 U.S.C. §103(a) over Takamatsu (U.S. Patent No. 6,254,238) in view of Shiraishi et al. (U.S. Patent No. 6,334,686) (Shiraishi). Applicants respectfully traverse this rejection.

Specifically, Applicants assert that neither Takamatsu nor Shiraishi, either alone or in combination, disclose or suggest a projector comprising *inter alia* an exhaust duct

accommodated in a casing, wherein the cross-sectional area of the exhaust duct is substantially constant, as recited in independent claim 1.

Takamatsu teaches a projector comprising an outlet duct 30 (Fig. 3) which, as acknowledged by the Patent Office (Office Action, page 4, lines 20-21), does not disclose or suggest an outlet duct having a substantially constant cross-sectional area. Furthermore, Shiraishi fails to cure the deficiencies of Takamatsu in disclosing an outlet duct with a substantially constant cross-sectional area. Accordingly, Applicants assert that independent claim 1 defines patentable subject matter. As such, Applicants respectfully request that the rejection of claim 1 be withdrawn.

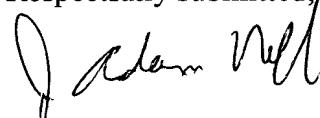
The amendment to claim 1 is made because of the very broad interpretation given by the Examiner to the word "approximately". Substituting "substantially" for "approximately" does not narrow the scope of the claim according to Applicants' understanding and intended use of both terms.

For at least their dependency on claim 1, Applicants assert that dependent claims 2-6 and 10 also define patentable subject matter. As such, Applicants respectfully request that the rejection of these claims be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-10 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

J. Adam Neff
Registration No. 41,218

JAO:TMN/vam

Date: September 16, 2003

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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AAFR

Name of Applicant: Hirohisa NAKANO et al.

Serial No.: 09/961,061

Atty. File No.: 110662

Title (New Cases):

Sender's Initials: JAO:TMN/vam

PARTNER'S INITIALS (for all extensions):

Date of filing paper: 9/16/03

Old due date to be removed: 10/16/03

New due date to be docketed: 9/30/03 - Call Ex; 10/16/03 - NOA

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